

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 29, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NICHOLAS JOSEPH KLOEPFEL,

Plaintiff,

v.

RAYMOND COWLES, DAN DICE,
UNKNOWN AGENTS US
MARSHALS,

Defendants.

NO: 2:24-CV-0231-TOR

ORDER DISMISSING ACTION

By Order filed December 5, 2024, the Court granted Plaintiff's third construed motion for extension of time, ECF No. 19, giving Plaintiff until January 21, 2025, to comply with the filing fee or *in form pauperis* requirements for this action. ECF No. 21. Plaintiff did not provide certified copies of his trust fund account statements obtained from each facility at which he was confined in the 6-month period immediately preceding the filing of his complaint on July 2, 2024.

1 The Court cautioned Plaintiff in the initial Order to Comply with Filing Fee
2 or *In Forma Pauperis* Requirements, that his failure to either pay the \$405.00 filing
3 fee or provide the documents necessary to proceed *in forma pauperis* would result
4 in the dismissal of this case. ECF No. 8 at 3. Plaintiff has filed nothing further in
5 this action.

6 Accordingly, for the reasons set forth above and in the Court's initial Order,
7 ECF No. 8, **IT IS ORDERED:**


8 (1) This action is **DISMISSED WITHOUT PREJUDICE** for failure to
9 comply with the filing fee and *in forma pauperis* requirements of 28
10 U.S.C. §§ 1914 and 1915.

11 (2) The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal
12 of this Order would not be taken in good faith and would lack any
13 arguable basis in law or fact.

14 The Clerk of Court is directed to enter this Order, enter judgment, provide
15 copies to Plaintiff at this last known address, and **CLOSE** the file.

16 **DATED** January 29, 2025.




THOMAS O. RICE
United States District Judge